House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Tuesday, July 22, 1997

John Boehner
Chairman
8th District, Ohio

House Meets at 12:30 p.m. for Morning Hour
and 2:00 p.m. for Legislative Business
(No Votes Expected Before 5:00 p.m.)

Anticipated Floor Action:

H.R. 765—Shackleford Banks Wild Horses Protection Act
H.R. 1663—Authorizing the Private Maintenance of Dams and Weirs in the Emigrant Wilderness
H.R. 1944—Warner Canyon Ski Hill Land Exchange Act
H.R. 1661—Trademark Law Treaty Implementation Act
H.Con.Res. 81—Calling for a U.S. Initiative to Seek a Peaceful Resolution to the Situation on Cyprus
H.Res. 175—Resolution Concerning the Outbreak of Violence in the Republic of Congo
H.Con.Res. 88—Congratulating the Government of El Salvador on Successfully Completing Free and Democratic Elections
H.Con.Res. 99—Expressing Concerns over Recent Events in the Republic of Sierra Leone
H.R. 1585—Stamp Out Breast Cancer Act
H.R. 1853—Carl D. Perkins Vocational-Technical Education Act Amendments
H.R. 2160—FY 1998 Agriculture Appropriations Act

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Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following nine bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 765—Shackleford Banks Wild Horses Protection Act directs the Interior Secretary to allow a herd of wild horses to be maintained at the Cape Lookout National Seashore (CALO) located on Core Banks, North Carolina. The herd of approximately 100 wild horses will be jointly managed by the National Park Service (NPS) and the Foundation of Shackleford Horses, a private non-profit foundation. The bill prohibits the secretary from removing or permitting the removal of any free-roaming horses from federal lands within the seashore unless: (1) the number of horses exceeds 110; (2) there is an emergency or a need to protect public health and safety; or (3) there is concern for the persistence and viability of the horse population. CBO estimates that enactment of H.R. 765 will increase federal costs by approximately $50,000 annually. The bill was introduced by Mr. Jones (NC); the Resources Committee ordered the bill reported by voice vote on June 25, 1997.

H.R. 1663—Authorizing the Private Maintenance of Dams and Weirs in the Emigrant Wilderness requires the Forest Service to allow a private organization (a volunteer organization or other non-federal entity) to maintain 18 concrete dams and weirs—a specific kind of dam—located in the Emigrant Wilderness in the Stanislaus National Forest in California. The private organization must pay the expenses to maintain and operate the dams. CBO estimates that enactment of H.R. 1663 will have no significant effect on the federal budget. The bill was introduced by Mr. Doolittle; the Resources Committee ordered the bill reported by voice vote on July 16, 1997.

H.R. 1944—Warner Canyon Ski Hill Land Exchange Act authorizes a land exchange between Lake County, Oregon, and the Forest Service. Under the exchange, the Forest Service will deed approximately 290 acres of land, comprising the Warner Canyon Ski Hill, to Lake County. In return, the county will deed over 300 acres of land currently owned by the county within the Hart Mountain National Antelope Refuge to the U.S. Fish and Wildlife Service. In order to determine what constitutes to an equal trade, an appraisal will be conducted to determine the exact acreage to be offered by Lake County. CBO estimates that enactment of H.R. 1944 will have no significant effect on the federal budget. The bill was introduced by Mr. Smith (OR); the Resources Committee ordered the bill reported by voice vote on July 16, 1997.

H.R. 1661—Trademark Law Treaty Implementation Act harmonizes procedures of U.S. trademark offices by limiting the requirements that member states or intergovernmental organizations (such as NATO or the UN) can impose on their respective national trademark systems. The bill also eliminates many unnecessary and duplicative requirements currently imposed on individuals and businesses wishing to register patents. H.R. 1661 provides a guarantee to American manufacturers that, when marketing their products in other member countries, they will be subject to the same 10-year international patent protections as other competing products in those countries. CBO estimates that enactment will have no significant effect on the federal budget. H.R. 1661 was introduced by Mr. Coble and was reported by the Judiciary Committee by voice vote on June 18, 1997.

H.Con.Res. 81—Calling For A U.S. Initiative to Seek A Peaceful Resolution to the Situation on Cyprus reaffirms the view of Congress that the current political division of Cyprus is unacceptable, and states that lasting peace on Cyprus is best secured by a process of complete demilitarization leading to the withdrawal of all foreign occupation forces. The resolution welcomes the support of President Clinton and encourages him to launch an early substantive initiative in close coordination with interested governments and organizations to promote a speedy resolution to the Cyprus problem. Finally, the resolution requests that the president report actions taken to initiate a settlement in the bimonthly report on Cyprus transmitted to the Congress. The resolution was introduced by Mr. Gilman et al. and ordered reported by voice vote.

H.Res. 175—Resolution Concerning the Outbreak of Violence In the Republic of Congo condemns the current fighting in the Republic of Congo (which borders the Democratic Republic of Congo, formerly Zaire) and urges the warring parties to reach a lasting cease-fire that allows humanitarian needs to be addressed as soon as possible. It supports the deployment of an international peacekeeping force to the Republic of Congo if deemed necessary. Finally, the resolution encourages the U.S. government to provide technical assistance on election-related matters if requested by the government of the Republic of Congo. The resolution was introduced by Mr. Royce et al. and ordered reported by the International Relations Committee by voice vote.

H.Con.Res. 88—Congratulating The Government of El Salvador on Successfully Completing Free and Democratic Elections congratulates the government and the people of El Salvador for the successful completion of democratic elections on March 16, 1997, and reaffirms that the U.S. is committed to encouraging democracy and peaceful development throughout Central America. The resolution was introduced by Mr. Ballenger et al. and ordered reported by voice vote.

H.Con.Res. 99—Expressing Concerns Over Recent Events in The Republic Of Sierra Leone condemns the recent coup in Sierra Leone carried out by the Armed Forces Ruling Council (AFRC) against the first democratically elected president, Ahmed Tejan Kabbah, and encourages the AFRC to hand power back to the democratically-elected government. The resolution was introduced by Mr. Houghton et al. ordered reported by the International Relations Committee by voice vote.

H.R. 1585—Stamp Out Breast Cancer Act authorizes a two-year demonstration project to offer the public a new way to fund research for breast cancer by raising money through specially designed U.S. postage stamps. The stamps will be offered for purchase as an alternative to regular first-class postage. Under the bill, the Postal Service may establish a special rate of postage for first-class mail as an alternative to the regular first-class postage stamps. The rate will not exceed the current postage cost, plus 25 percent to cover administrative costs (i.e., approximately 40 cents). After the payment of administrative costs to the Postal Service, the remainder of funds raised will be devoted to breast cancer research. The bill was introduced by Ms. Molinari and was not considered by any committee.

Additional Information: See *Legislative Digest*, Vol. XXVI, #21, July 18, 1997.

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H.R. 1853—Carl D. Perkins Vocational-Technical Education Amendments

Floor Situation: The House will continue consideration of H.R. 1853 after it completes consideration of the scheduled suspensions. Last Thursday, the House completed general debate, adopted a manager's amendment, and began considering amendments under an open rule. The rule grants priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. It waives House rules which require that committee reports be available three days before consideration. Finally, the rule provides for one motion to recommit, with or without instructions.

Summary: H.R. 1853 authorizes $1.3 billion for FY 1998 and such sums as necessary for FY 1999-2002 for programs to improve state vocational-technical education programs. As amended, the bill modifies current law regarding the method by which states distribute funds to secondary education agencies. Beginning in FYs 1999 and 2000, the funding will be distributed based 70 percent on poverty and 30 percent on population. The amount based on population rises five percent per year, so that in FY 2002, the funding will be distributed based 60 percent on poverty and 40 percent on population.

The bill also (1) eliminates set asides for single parents, displaced homemakers, single pregnant women, sex equity programs, gender equity programs, and criminal offenders; (2) strikes the provision in the bill that allows states to reserve five percent of their allotment for incentive grants; and (3) allows states to reserve five percent of their allotment for urban areas and five percent for rural areas. CBO estimates that enactment will result in discretionary outlays of $6.5 billion over the next five years, assuming that the maximum amount of appropriations are made available. The bill will reduce direct spending by $1 million in FY 1998 and by $30 million over the next five years. The bill was introduced by Mr. Riggs and was ordered reported by the Education and Workforce Committee by a vote of 20-18.

Views (on the overall bill):

Republican Leadership: Supports
Chairman Goodling: Supports
Clinton Administration: Conditionally Supports

Amendments: Last Thursday, the House began considering, but did not vote on the following amendment:

* an amendment by **Ms. Mink and Ms. Morella** (#5) to require states that currently fund programs for homemakers, single parents, and pregnant women, as well as programs that promote gender equity, to continue to fund the programs at the same level as in FY 1997. The amendment also restores the requirement that each state designate a gender equity coordinator. The bill currently strikes provisions requiring a gender equity coordinator and repeals the 10.5 percent set aside for (1) programs for homemakers, single parents, and pregnant women, and (2) programs that promote gender equity. ***Staff Contact: Laura Efurd (Mink), x5-4906; Sandy Zimmet (Morella), x5-5341.***

At press time, the *Legislative Digest* was aware of the following other amendments to H.R. 1853:

Mr. Kennedy (MA) may offer an amendment (#2) to allow local education agencies to use grant money for a workforce development coordinator who works with local businesses to develop vocational education curriculum. ***Staff Contact: Pete Leon, x5-5111***

Mr. Klink may offer one of two amendments (#3 or #4) to require states to make accountability reports, which must be submitted to the Education Secretary, available to the public. ***Staff Contact: Peter Madaus, x5-2565***

Additional Information: See *Legislative Digest,* Vol. XXVI, #20, July 11, 1997.

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H.R. 2160—FY 1998 Agriculture Appropriations Act

Floor Situation: The House is scheduled to continue consideration H.R. 2160 after it completes consideration of H.R. 1853. Last Thursday, the House completed general debate and began considering amendments under the five-minute rule, which provides five minutes to a proponent, five minutes to an opponent, and five minutes to any member who rises to strike the last word. Appropriations bills are privileged and may be considered any time three days after they are filed; they do not require a rule for consideration.

Summary: H.R. 2160 appropriates $49.6 billion in new FY 1998 budget authority for agriculture programs, $4.3 billion less than FY 1997 and $2.7 billion less than the president's request. When scorekeeping adjustments are taken into account, the bill provides $35.8 billion for mandatory programs (almost 80 percent of the total) and $13.7 billion for discretionary programs.

Much of the mandatory spending goes toward (1) food stamps ($25.1 billion), (2) restoring the borrowing authority of the Commodity Credit Corporation ($783.5 million), (3) child nutrition programs ($7.8 billion), (4) the Federal Crop Insurance Corporation ($1.6 billion), as well as (5) $1.1 billion for the Food for Peace (*P.L. 480*) program. Funding for the supplemental nutrition program for Women, Infants, and Children (WIC) is $3.9 billion, $118 million more than last year. In addition, the bill limits spending on the Export Enhancement Program to $205 million.

Regarding discretionary accounts, the bill appropriates $73.6 million more than last year for cooperative state research and extension programs, $24 million more for the Rural Housing Service, and $29 million more for the Food Safety and Inspection Service. In contrast, it provides $43.9 million less for the Farm Service Agency. CBO estimates that enactment of H.R. 2160 will result in outlays of $41.7 billion in FY 1998, $5.4 billion in FY 1999, $566 million in FY 2000, $270 million in FY 2001, and $465 million in FY 2002 and future years. The bill was submitted by Mr. Skeen; the Appropriations Committee ordered the bill reported by voice vote on July 9, 1997.

Views (on the overall bill):

Republican Leadership: Supports
Chairman Livingston (Full): Supports
Chairman Skeen (Sub): Supports
Clinton Administration: Conditionally Supports

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 2160:

Messrs. Chabot, Schumer, Royce, and Bass may offer an amendment to prohibit funds from being used for the Commodity Credit Corporation's market access program (MAP), enacted as part of the 1978 Agricultural Trade Act. MAP is a mandatory program that does not require an annual appropriation. The 1996 Farm Bill authorized $90 million for the program. MAP funds market development and promotion efforts, on a cost-sharing basis, for nonprofit agricultural trade organizations, state and regional trade groups, and private companies. Proponents of the amendment argue that the program is "corporate welfare" and that the taxpayers should not be forced to subsidize the marketing expenses of big corporations in foreign countries. Opponents of the amendment counter the MAP provides critical assistance to maintain and expand export markets for U.S. agricultural goods and that MAP funds, which are targeted to small businesses, only supplement, not replace, private spending on market promotion. ***Staff Contact: Tony Condia (Chabot), x5-2216; Kate Scheeler (Schumer), x5-6616***

Ms. Clayton may offer an amendment (#12) to increase funding for the food stamp program by $2.5 billion (the bill's current level is $25.1 billion, $2.5 billion less than FY 1997) and reduce each other appropriation in the bill by five percent. ***Staff Contact: Francesca Fierro, x5-3101***

Ms. Clayton may offer an amendment (#13) to increase funding for the Women, Infants, and Children (WIC) supplemental nutrition program by $184 million to equal to the president's request (the bill's current level is $3.9 billion, $118 million more than FY 1997) and reduce each other appropriation in the bill by 0.37 percent. ***Staff Contact: Francesca Fierro, x5-3101***

Mr. Cox may offer an amendment (#1) to prohibit the use of U.S. funds (from the P.L. 480 Food for Peace program) to deliver food aid to North Korea. Proponents of the amendment argue that the U.S. does not have a moral obligation to feed a country that (1) is a sworn enemy of the United States, (2) has massed a million-man army within range of 37,000 American troops defending a loyal ally in South Korea, and (3) has threatened to incinerate our ally and our 37,000 soldiers in a "sea of flames." Opponents counter the United States has always answered the call to provide humanitarian aid to starving people and argue that food aid does not prop up the North Korean government, but feeds hungry men, women, and children who suffer under a Communist regime. ***Staff Contact: Mark Lagon, x6-0678***

* **Mr. Hall (OH)** may offer a secondary amendment to the Cox amendment to ensure that famine relief provided by the United Nation's World Food Program and other private organizations may still be provided to North Korea. ***Staff Contact: Kim Miller, x5-6465***

Ms. Furse may offer an amendment to reduce funding for Animal Damage Control programs by $11.3 million (from the bill's current level of $28 million to $16.7 million). Additionally, the amendment limits funding for Animal Damage Control (ADC) livestock protection efforts in the western United States to $1.9 million. The ADC's western animal control efforts target livestock predators, such as coyotes, foxes, and bears. ***Staff Contact: Elise Jones, x5-0855***

Mmes. Lowey, Degette, and Smith (WA) and Messrs. Hansen and Meehan may offer an amendment (#3) to prohibit funds in the bill from being used for tobacco crop insurance, which is estimated to provide $34 million in savings. The amendment exempts crop insurance policies already in effect on the date of enactment. Proponents of scaling back tobacco programs argue that the government should not be subsidizing such an unhealthy product, considering recent revelations about tobacco company knowledge of the severe health consequences of their products, when it is subsidizing other programs to specifically curb tobacco use. Opponents of scaling back the tobacco program point out that there is little, if any, link between programs that assist farmers and a consumer's choice to smoke, and that there is a need for even tobacco farmers to receive assistance to insure against natural disasters and encourage environmentally sound cropping practices (as typically offered for other commodities). ***Staff Contact: Matthew Traub (Lowey), x5-6506***

Mr. Meehan and Mr. Hansen may offer an amendment (#4) to increase funding for the FDA's tobacco initiatives by $14 million and offset the increase by reducing funding for the federal crop insurance corporation's (FCIC) sales commissions by an equal amount. The bill currently provides $188.6 million for sales commissions ($36 million more than the president's request) to private insurance companies participating in the FCIC program, which reimburses private companies for expenses associated with selling and servicing crop insurance policies. ***Staff Contact: Bill McCann (Meehan), x5-3411***

Mr. Miller (FL) and Mr. Schumer may offer an amendment to prohibit funds in the bill from being used to carry out the "non-recourse" loan portion of the sugar program. The amendment leaves intact the "recourse" loan program for processors, as well as the sugar tariff rate quota. "Recourse" means processors are obligated to repay the loan with interest in cash, rather than exercise the legal right (under "non-recourse" policy) to hand over sugar offered as collateral in full payment of the loan. Proponents of the amendment argue that recipients (processors, not farmers) of "non-recourse" loans receive the loans at below market rates—making taxpayers bear all the risk—yet still force sugar prices on consumers at almost twice the cost of the world market. Opponents of the amendment counter that reducing the subsidy will increase financial uncertainty for sugar farmers and thus continue to erode their "safety net." In addition, it will devastate an efficient sugar industry by driving producers out of business and wreak havoc on consumers and industrial users who rely on timely shipments of sugar. ***Staff Contact: Stephanie Elrad (Miller), x5-5015; Kate Scheeler (Schumer), x5-6616***

Mr. Neumann and Mr. Kanjorski may offer an amendment (#5 or #17) to establish a maximum market price for peanut sales of $550 per ton. The 1996 Farm Bill established a maximum market price for peanuts of $610 per ton. Supporters contend that peanut prices are artificially inflated, at the expense of consumers, and that even with a reduction, the market price of $550 per ton is still $200 per ton higher than the world market price. However, opponents counter that the 1996 Farm Bill reduced the quota support level by 10 percent and argue that the 1996-enacted provisions should be given an opportunity to work. ***Staff Contact: Scott Heins (Neumann), x5-3031; Alan Pentz (Kanjorski), x5-6511***

Mr. Sanders and Mr. LoBiondo may offer an amendment (#18) to increase funding for the Meals on Wheels program by $5 million and offset the increase by reducing funding for FDA salaries and expenses by 0.6 percent. ***Staff Contact: Steve Bressler, x5-4115***

Mr. Schumer may offer an amendment to prohibit the Commodity Credit Corporation's Market Access Program (MAP) from issuing a marketing assistance loan to any person who has an annual adjusted gross income of $100,000 or more from non-farm sources. ***Staff Contact: Kate Scheeler, x5-6616***

Mr. Smith (MI) may offer an amendment to prohibit funds in the bill from being used to pay the salaries and expenses of personnel employed at, or for providing support services to, any National Resources Conservation Service regional office. ***Contact: x5-6276***

Mr. Stenholm and Mr. Dooley may offer an amendment (#2 or #9) to strike the limitation on the use of funds for the positions of Deputy and Assistant Deputy Administrator within the Farm Service Agency. ***Staff Contact: John Riley (Stenholm), x5-0317***

Mr. Wynn may offer one of four amendments (#10, #11, #15, or #16) to increase funding for civil rights enforcement through the USDA's departmental administration account by $1.5 million and reduce spending for the Market Access Program by an equal amount. ***Staff Contact: Claudia Arko, x5-8699***

Mr. Wynn may offer one of two amendments (#19 or #20) to increase funding for civil rights enforcement through the USDA's departmental administration account by $1.5 million and reduce spending for the bill's discretionary accounts by 0.1 percent (totaling approximately $1.5 million). ***Staff Contact: Claudia Arko, x5-8699***

Additional Information: See *Legislative Digest*, Vol. XXVI, #20, Pt. II, July 14, 1997.

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PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER ENTIRELY NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD.*

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